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STATE COURTS AND THE MAKING OF FEDERAL COMMON LAW

what, if anything, justifies the making of federal common law by state courts The fourth purpose is to identify the implications of this account for the operation of federal common law in federal courts It is a common premise of theories explaining the operation of federal common law in federal courts that if federal courts are justified in

An Introduction to Legal Research - LexisNexis

Introduction to Legal Research What are we going to cover? Introduce you to an important skill for law students and lawyers How are we going to cover it? Walk through the standard legal research process Why is it important to me as an incoming 1L? You'll have a class dedicated to legal research during year, and learning

Topics in Judicial Politics: Judicial Decision-making

Topics in Judicial Politics: Judicial Decision-making surveys the field of judicial decision-making The research assigned will focus primarily on the United States federal courts, but not exclusively Law on the Supreme Court by Maltzman, Spriggs, and Wahlbeck, available at the OSU bookstore

The reading is substantial and the writing

Supported Decision-Making: A Viable Alternative to ...

fails to answer Part IV then suggests how research on shared decision-making (a related decision-making paradigm) might inform policy and research on supported decision-making Finally, Part V makes a series of recommendations for policy and future research II THE CALL FOR SUPPORTED DECISION-MAKING

Making the Law: Unpublication in the District Courts

Making the Law: Unpublication in the District Courts Hillel Y Levin Follow this and additional works at: <https://digitalcommons.law.villanova.edu/vlr> Part of the Judges Commons Recommended Citation Hillel Y Levin, Making the Law: Unpublication in the District Courts, 53 Vill L Rev 973 (2008)

Heuristics and Biases in Judicial Decisions

judgments, choices, and decision making Various heuristics and biases have been identified and described in research literature⁵ In this article, we review evidence on the use of heuristics and biases among court judges (as well as other professional law experts) that affect judgment and the decision-making process in the courtroom Before we

Understanding tribunal decision-making

such as the formal requirements of the law and the rules of collegiate decision-making, can impact on judicial decisions⁴ There is no similar tradition of judicial studies in the UK, and consequently there is little research that explores the nature of judicial ...

Social Psychology and the Law

Social Psychology and the Law ¹²⁵ Many of the law's assumptions about human behavior have been challenged by findings in psychological science broadly, including social psychology specifically Traditionally, these challenges have focused on a fairly narrow range of legal processes involving courtroom evidence and decision-making

International Law and Agreements: Their Effect upon U.S. Law

International Law and Agreements: Their Effect upon US Law Congressional Research Service Summary International law is derived from two primary sources—international agreements and customary practice Under the US legal system, international agreements can be entered into by means of a treaty or an executive agreement

EVIDENCE

themselves in civil matters in the North Dakota state courts The information provided in this research guide IS NOT a complete statement of the law This information is intended as a starting point for your research into evidence This information is not intended for legal advice and cannot replace the advice of competent legal counsel licensed

Legal Research Guide & Checklist

Research section of the North Dakota Legal Self Help Center website Before you start your legal research, you should know the basic difference between substantive law and procedural law • Substantive law is the law that establishes our legal rights and responsibilities and grants jurisdiction (authority) to a court to hear and decide a case

CHAPTER 1: INTRODUCTION TO LAW AND LEGAL ...

CHAPTER 1: INTRODUCTION TO LAW AND LEGAL REASONING LAW IS INTERPRETED BY COURTS TO DETERMINE 1)WHETHER IT IS "CONSTITUTIONAL" 2)WHO IS RIGHT OR WRONG THERE IS A PROCESS WHICH MUST BE FOLLOWED (CALLED "PROCEDURAL LAW") I

Thomas Jefferson: "The study of the law qualifies a man to be useful to himself, to ...

The Role of Social Science in Judicial Decision Making ...

science courts will cite⁵ The utilization of social science demonstrates that courts go beyond strict application of case law to consider extra-judicial factors when making their decisions In other words, the citation of social science illustrates that judges do not decide a case only on the facts in front of them but instead take into account

Influence of Criminal Justice Research

The Influence of Criminal Justice Research Joan ~etersilia June 1987 Prepared for the the work of the Institute for Law and Social Research (INSLAW) on case attrition and the development of time had little relationship to the probability of making an arrest or locating a witness The determining factor turned out to be the time it

BUFFALO LAW REVIEW

BUFFALO LAW REVIEW VOLUME 60 AUGUST 2012 NUMBER 4 Common Law Judicial Decision Making: The Case of the New York Court of Appeals 1900-1941 MARK P GERGEN† KEVIN M QUINN†† INTRODUCTION This Article is a first attempt to bring quantitative techniques that have been developed to analyze the

An Introduction to Judicial Review of Federal Agency Action

An Introduction to Judicial Review of Agency Action Congressional Research Service Summary The US Constitution vests the judicial power in the Supreme Court and any inferior courts established by Congress, limiting the power of federal courts to ...

Mental Health Courts - Office of Justice Programs

of research findings and provided input on which studies to include in the guide, how to interpret their findings, and what policy statements could be derived from the relevant research Conclusions The body of research on mental health courts is quite limited at this stage, both in terms of the number of studies and their scope

Female Judges Matter: Gender and Collegial Decisionmaking ...

Decisionmaking in the Federal Appellate Courts detail past research on the direct and indirect effects of gender on judicial The Relationship of Judges' Gender to Decision Making in the State and Federal Courts 10, 94-95 (1990) (unpublished PhD ...

The Intersection of Judicial Attitudes and Litigant ...

Washington University Journal of Law & Policy Volume 29 Empirical Research on Decision-Making in the Federal Courts 2009 The Intersection of Judicial Attitudes and Litigant Selection Theories: Explaining US Supreme Court Decision-Making Jeff Yates Binghamton University Elizabeth Coggins University of North Carolina at Chapel Hill

Minors' Rights in Medical Decision Making

and Participation in Research At the core of these issues is informed consent, which has been viewed by the courts as a basic right¹ Informed consent and the right to refuse treatment are protected by the constitutional right to privacy In some jurisdictions, the right to informed consent arises from the law of battery in that the patient has